

Interview Summary	Application No.	Applicant(s)	
	09/540,011	KIGHT ET AL.	
	Examiner	Art Unit	
	Yogesh C. Garg	3625	

All participants (applicant, applicant's representative, PTO personnel):

(1) Yogesh C. Garg. (3)_____

(2) Rhett S. White. (4)_____

Date of Interview: 04/6/07&03/29/07.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.
If Yes, brief description: _____

Claim(s) discussed: 37-38, 42-43, 47-48 and 51-63.

Identification of prior art discussed: _____


Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Mr. White agreed for issuing an Examiner's Amendment whereby amending claims 37-38, 42-43, 47-48, 53, 57, and 61 and cancelling claims 51-52, 55-56, 59-60 and 63 to place the application in condition for Allowance.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.



Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Garg, Yogesh

From: Smith, Jeffrey A. (AU3625)
Sent: Monday, March 26, 2007 11:10 AM
To: Garg, Yogesh
Subject: RE: Allowance Conference

done

-----Original Message-----

From: Garg, Yogesh
Sent: Monday, March 26, 2007 10:36 AM
To: Smith, Jeffrey A. (AU3625)
Subject: RE: Allowance Conference

Thanks. Just now the applicant confirmed for the Examiner's Amendment for 09/540011 as discussed between us. Pls.. lift the flag for 09/540011 also.

Regards/Yogesh

-----Original Message-----

From: Smith, Jeffrey A. (AU3625)
Sent: Monday, March 26, 2007 10:24 AM
To: Garg, Yogesh
Subject: RE: Allowance Conference

10/274050
09/929735

done

-----Original Message-----

From: Garg, Yogesh
Sent: Sunday, March 25, 2007 12:40 PM
To: Smith, Jeffrey A. (AU3625)
Subject: FW: Allowance Conference

March 25, 07

With reference Allowance Conference on 3/20/2007 Applicant has amended system claim 28 as discussed. Pls. lift flag.

Thanks

Yogesh

-----Original Message-----

From: Garg, Yogesh
Sent: Tuesday, March 20, 2007 11:51 AM

To: Smith, Jeffrey A. (AU3625)
Subject: Allowance Conference

March 20, 2007

Request Allowance Conferences for the following Applications:

10/274050
09/929735
09/540011

Thanks/Yogesh

Garg, Yogesh

From: White, Rhett [Rhett.White@sablaw.com]
Sent: Monday, April 02, 2007 11:55 AM
To: Garg, Yogesh
Subject: FW: U.S. App. Ser. No. 09/540,011

Examiner Garg,

Attached is a signed copy of our proposed claim amendments in case you need it for the file.

Best regards.

Rhett S. White
Sutherland Asbill & Brennan LLP
999 Peachtree Street, NE
Atlanta, GA 30309-3996
404.853.8037 phone
404.853.8806 fax
rhett.white@sablaw.com

From: White, Rhett
Sent: Monday, April 02, 2007 11:36 AM
To: 'yogesh.garg@uspto.gov'
Cc: Griffin, Griff
Subject: U.S. App. Ser. No. 09/540,011

Examiner Garg,

Please find attached our proposed claim amendments for U.S. Pat. App. No. 09/540,011 (Our Docket 23952-0051). Pursuant to your request in our earlier telephone conversation, the subject matter of Claims 51 and 52 has been added to independent Claim 37. Similar amendments have been made to the other independent claims.

We would greatly appreciate it if you could enter these changes by Examiner's Amendment to expedite the allowance of the present patent application. Please do not hesitate in contacting me if you have any questions or concerns about the foregoing matter.

Best regards.

Rhett S. White
Sutherland Asbill & Brennan LLP
999 Peachtree Street, NE
Atlanta, GA 30309-3996
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rhett.white@sablaw.com

4/2/07

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/540,011 Confirmation No.: 2558
Applicant : Kight, et al.
Filed : March 31, 2000
Art Unit : 3625
Examiner : Yogesh C. Garg
Atty Docket No. : 23952-0051


PROPOSED CLAIM SET FOR EXAMINER'S AMENDMENT

Dear Examiner Garg:

Pursuant to our earlier telephone conversation, attached is a proposed amended set of claims for the above referenced patent application. Pursuant to your request, the subject matter of Claims 51 and 52 has been added to independent Claim 37. Similar amendments have been made for the other independent claims.

We would greatly appreciate it if you could enter these changes by Examiner's Amendment to expedite the allowance of the present patent application.

Best Regards,



Rhett S. White

Attorney for Applicants

Registration No. 59,158

Proposed Amendments to the Claims:

This listing of claims may replace all prior versions, and listings, of claims in the application:

Listing of Claims:

Claims 1 – 36 (previously cancelled)

37. (currently amended) A method ~~for maintaining a master merchant file database,~~
comprising ~~the steps of:~~

receiving a list identifying one or more merchants from a consumer;

searching a master merchant file database, including information associated with
merchants that has been received from other consumers, to determine if information associated
with at least one of the identified one or more merchants is included in the master merchant file
database; and

adding information associated with at least one of the identified one or more merchants to
the master merchant file database if information associated with the at least one of the identified
one or more merchants is determined not to be included in the master merchant file database[;],

wherein a merchant credit limit is associated with each of the at least one of the identified
one or more merchants[.];

receiving a request to pay a bill associated with one of the at least one of the identified
one or more merchants on behalf of the consumer; and

processing the request to generate an instruction to pay the bill, wherein the merchant
credit limit associated with the one of the at least one of the identified one or more merchants is
utilized in the processing of the payment request.

38. (currently amended) The method of claim 37, wherein the request to pay a bill is a request to pay a first bill and further comprising the steps of:

receiving, via a network, a request to pay a second bill associated with a merchant on behalf of the consumer;

searching the master merchant file database to determine if information associated with the merchant is included in the master merchant file database;

adding information associated with the merchant to the master merchant file database if information associated with the merchant is determined to not be included in the master merchant file database; and

processing the request to generate an instruction to pay the second bill.

39-41. (previously cancelled)

42. (currently amended) A system ~~for maintaining a master merchant file database~~, comprising:

a network interface configured (i) to receive a list of one or more merchants from a consumer, and (ii) to receive a request to pay a bill associated with one of the one or more merchants on behalf of the consumer;

a storage device configured to store a master merchant file database including merchants identified by other consumers; and

a processor configured (i) to search the master merchant file database to determine if each of the one or more merchants on the received list is included in the master merchant file database, (ii) to add at least one of the one or more merchants from the list to the master merchant file database, if the at least one of the one or more merchants is determined to not be included in the master merchant file database, and (iii) to associate a merchant credit limit with each of the at least one of the one or more merchants added to the master merchant database, and (iv) to process the payment request to generate an instruction to pay the bill, wherein the merchant credit limit associated with the one of the at least one of the one or more merchants is utilized in the processing of the payment request.

43. (currently amended) The system of claim 42, wherein:

the network interface is further configured to receive a request to pay a second bill associated with another merchant on behalf of the consumer; and the processor is further configured to:

search the master merchant file database to determine if the other merchant is included in the master merchant file database;

add the other merchant to the master file database if the other merchant is determined to not be included in the master merchant file database; and

process the request to generate an instruction to pay the second bill.

44-46. (previously cancelled)

47. (currently amended) An article of manufacture ~~for maintaining a merchant database,~~
comprising:

a computer readable medium; and

computer programming stored on the medium;

wherein the stored computer programming is configured to be readable from the
computer readable medium by a computer to thereby cause the computer to operate so as to:

receive a list identifying one or more merchants from a consumer;

search a master merchant file database, including merchants identified by other
consumers to determine if each of the one or more merchants on the received list is included in
the master merchant file database;

add at least one of the one or more merchants to the master merchant file database if the
at least one of the one or more merchants is determined to not be included in the master merchant
file database; and

associate a merchant credit limit with each of the at least one of the one or more
merchants added to the master merchant file[.],

receive a request to pay a bill associated with one of the at least one of the one or more
merchants on behalf of the consumer; and

process the payment request to generate an instruction to pay the bill, wherein the
merchant credit limit associated with the one of the at least one of the one or more merchants is
utilized in the processing of the payment request.

48. (currently amended) The article of manufacture according to claim 47, wherein the computer readable medium is further readable to cause the computer to:

receive, via a network, a request to pay a second bill associated with another merchant on behalf of the consumer;

search the master merchant file database to determine if the other merchant is included in the master merchant file database;

add the other merchant to the master merchant file database to determine if the other merchant is not included in the master merchant file database; and

process the request to generate an instruction to pay the second bill.

49-50. (previously cancelled)

51. (Cancelled) The method of claim 37, further comprising:

receiving, via a network, a request to pay a bill associated with the at least one of the one or more merchants on behalf of the consumer; and

processing the request to generate an instruction to pay the bill.

52. (Cancelled) The method of claim 51, wherein the merchant credit limit is utilized in the processing of the payment request.

53. (Currently Amended) The method of claim [51] 37, wherein ~~each of the one or more merchants is associated with a respective~~ the merchant credit limit associated with the one of the at least one of the one or more merchants is specific to the one of the one or more merchants.

54. (Previously Presented) The method of claim 37, further comprising:
associating an account scheme with the at least one of the one or more merchants.

55. (Previously Presented) The method of claim 54, further comprising:
determining if an account number associated with the consumer and the at least one of the one or more merchants conforms to the account scheme.

56. (Cancelled) The system of claim 42, wherein:
the network interface is further configured to receive a request to pay a bill associated with the at least one of the one or more merchants on behalf of the consumer; and
the processor is further configured to process the request to generate an instruction to pay the bill.

57. (Currently Amended) The system of claim 42, wherein ~~each of the one or more merchants is associated with a respective~~ the merchant credit limit associated with the one of the at least one of the one or more merchants is specific to the one of the one or more merchants.

58. (Previously Presented) The system of claim 42, wherein, the processor is further configured to:

associate an account scheme with the at least one of the one or more merchants.

59. (Previously Presented) The system of claim 58, wherein, the processor is further configured to:

determine whether an account number associated with the consumer and the at least one of the one or more merchants conforms to the account scheme.

60. (Cancelled) The article of manufacture according to claim 47, wherein the computer readable medium is further readable to cause the computer to:

receive, via a network, a request to pay a bill associated with the at least one of the one or more merchants on behalf of the consumer; and

process the request to generate an instruction to pay the bill.

61. (Currently Amended) The article of manufacture according to claim 47, wherein ~~each of the one or more merchants is associated with a respective~~ the merchant credit limit associated with the one of the at least one of the one or more merchants is specific to the one of the one or more merchants.

62. (Previously Presented) The article of manufacture according to claim 47, wherein the computer readable medium is further readable to cause the computer to:

In re: Kight, et al.
Appl. No.: 09/540,011
Filed: March 31, 2000

associate an account scheme with the at least one of the one or more merchants.

63. (Previously Presented) The article of manufacture according to claim 62, wherein the computer readable medium is further readable to cause the computer to:

determine whether an account number associated with the consumer and the at least one of the one or more merchants conforms to the account scheme.

Garg, Yogesh

From: White, Rhett [Rhett.White@sablaw.com]
Sent: Friday, April 06, 2007 1:29 PM
To: Garg, Yogesh
Cc: Griffin, Griff
Subject: RE: U.S. App. Ser. No. 09/540,011

Examiner Garg,

For U.S. Pat. App. Ser. No. 09/540,011 (Our File 23952-0051), we have had a discussion with our client regarding your contentions with respect to dependent Claims 55, 59, and 63. In that discussion, we were instructed to cancel dependent Claims 55, 59, and 63 in order to expedite the allowance of the present patent application. Accordingly, we would greatly appreciate it if you could cancel Claims 55, 59, and 63 by Examiner's Amendment. At this time, we believe that the patent application is in condition for allowance and respectfully request the allowance of the application.

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4/9/07